

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5775

IN THE MATTER OF:

Served December 22, 1999

Application of LOGISTICARE SOLUTIONS,)	Case No. AP-99-86
LLC, Trading as LOGISTICARE, for)	
Temporary Authority -- Irregular)	
Route Operations)	

By application accepted for filing December 22, 1999, LogistiCare Solutions, LLC, a Delaware limited liability company trading as LogistiCare, seeks temporary authority for irregular route operations in vehicles with a seating capacity of less than 16 persons, including the driver. Applicant also has applied for a certificate of authority in Case No. AP-99-87.

Applicant proposes operating vans and sedans under a contract with the Washington Metropolitan Area Transit Authority (WMATA). The contract requires applicant to operate a reservation system for the benefit of disabled individuals participating in WMATA's MetroAccess program and to ensure that program participants receive timely and adequate transportation service. The MetroAccess program is WMATA's means of complying with the Americans with Disabilities Act of 1990,¹ which in pertinent part prohibits discrimination against the disabled by public transportation providers.

Much, but not all, of the transportation service will be subcontracted out to four current WMATC carriers² and one carrier that has applied for WMATC authority.³ The subcontractors will operate vehicles furnished by applicant.

Under Title II of the Compact, Article XI, Section 13(a), the Commission may grant temporary authority if there is an immediate need for service that is not available. Under Regulation No. 54-06(a), a temporary authority applicant must demonstrate fitness.

This proceeding is hereby initiated to determine whether applicant is fit and whether there is an immediate need for service that is not available.

THEREFORE, IT IS ORDERED that the deadline for filing protests, comments, applications for intervention, and requests for formal hearing, is January 6, 2000, and that copies must be served on applicant's operations manager, Kenneth L. Hoggard, 8405 Colesville Road, Bldg. 3, 4th Floor, Silver Spring, MD 20910.

FOR THE COMMISSION:


William H. McGilvery
Executive Director

¹ 42 U.S.C. § 12101, et. seq. (1999).

² The four WMATC carriers are: Battle's Transportation, Inc., WMATC No. 62; Transportation Management Services, Inc., WMATC No. 170; Graham's Transportation Service, Inc., WMATC No. 307; and Answers Incorporated, WMATC No. 488.

³ See In re Keen Transp. Ltd., No. AP-99-88, Order No. 5777 (Dec. 22, 1999).